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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,364	12/30/1999	RAYMOND G. MATHER	E-906	6248

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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT PAPER NUMBER

2163

DATE MAILED: 04/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/475,364

Applicant(s)

MATHER ET AL.

Examiner

Akiba K Robinson-Boyce

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 30 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

Claims 11, 22 are objected to because of the following informalities: the word "terminate" in claim 11 should be "terminal" and the word "needs" is missing after the work "user's". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 recites the limitation "the data processing unit" in the second line of the claim. There is insufficient antecedent basis for this limitation in the claim. Additionally, claim 12 is currently depending on claim 13. Claim 13 is a "portable data terminal", not a "system" as recited in claim 12. Hence, it is vague and indefinite as to which claim 12 depends. For examination purposes, claim 12 is construed to depend from "claim 3" since it recites both a data terminal and a data processing unit.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Kadaba, et al. (EP 0 787 334 B1).

As per claim 1, Kadaba, et al discloses:

A system for tracking...(Col. 1, lines 5-9):

A portable data terminal...(Col. 11, lines 54-55);

Record information regarding the receipt...(Col. 12, lines 7-16);

Record information regarding the internal movement...(Col. 13, lines 8-16, where the examiner is interpreting the data collection format of the present invention as the bar code information of Kadaba, et al);

A base station...(Col. 12, lines 31-44).

As per claims 2, 15, Kadaba, et al discloses:

Wherein the system is configurable so as to allow a user to use the base station to modify...(Col. 12, lines 46-49).

As per claims 3, 14, Kadaba, et al discloses:

Further comprising a data processing unit capable of communicating with the portable data terminal...(Col. 3, lines 45-47);

Maintain a database of records...(Col. 3, lines 51-52, Col. 10, line 58-Col. 11, line 3, Col. 11, lines 29-32);

And internal movement...(Col. 4, lines 6-10)

Maintain a database of recipient names...(Col. 4, lines 4-5);

Generate a manifest of selected ones...(Col. 4, lines 16-17, [captured signatures]).

As per claim 4, Kadaba, et al discloses:

Wherein the data processing unit is further programmed to maintain a database of sender names...(Col. 7, line 7);

And carrier names related to said received items...(Col. 5, lines 15-18, Col. 6, line 53-Col. 7, line 5, [driver's PDA information is downloaded]).

As per claim 5, Kadaba, et al discloses:

Wherein the data processing unit is further programmed to provide status information related to said received items through searches...(Col. 13, lines 21-31, Col. 12, lines 25-43).

As per claim 6, Kadaba, et al discloses:

Wherein the portable data terminal is further programmed to associate the receipt of items with the recipients...(Col. 7, lines 2-8).

As per claim 7, Kadaba, et al discloses:

A display device...(Col. 11, line 58);

An inputting device...(Col. 11, line 58-Col. 12, line 3);

A communication device to communicate with the base station...(Col. 12, line 5).

As per claims 8, 17, Kadaba, et al discloses:

Wherein the received items contain barcode...(Col. 13, lines 12-16, Col. 12, line 58).

As per claims 9, 18, Kadaba, et al discloses:

Wherein the information displayed on the display device includes a popup list...(Col. 8, lines 5-18).

As per claims 10, 19, Kadaba, et al discloses:

Wherein the display device displays a plurality of entry fields... (Col. 8, lines 5-18).

As per claim 11, Kadaba, et al discloses:

Further comprising a communication medium... (Col. 12, lines 31-44).

As per claim 12, Kadaba, et al discloses:

Further comprising a connection cradle... (Col. 9, lines 55-58).

As per claim 13, Kadaba, et al discloses:

A portable data terminal... (Col. 1, line 6):

A display device... (Col. 11, line 58);

An inputting device... (Col. 11, line 58-Col. 12, line 3);

Record information regarding the receipt... (Col. 12, lines 7-16);

Is inputted with a data collection format which can be created and/or modified... (Col. 12, lines 46-49).

As per claim 16, Kadaba, et al discloses:

Receive information regarding the receipt... Col. 12, lines 7-16, Col. 13, lines 8-16, where the examiner is interpreting the data collection format of the present invention as the bar code information of Kadaba, et al);

Maintain a database of records related to the received items... (Col. 3, lines 51-52, Col. 10, line 58-Col. 11, line 3, Col. 11, lines 29-32);

And internal movement... (Col. 4, lines 6-10)

Generate a manifest of selected ones... (Col. 4, lines 16-17, [captured signatures]).

As per claim 20, Kadaba, et al discloses:

Wherein the data collection format includes a selection of entry items... (Col. 8, lines 8-11, w/ col. 7, lines 1-8, where the list is information derived from the PDA check in).

As per claims 21, 24, Kadaba, et al discloses:

Wherein the entry items further include a PO number of the recipient.... (Col. 7, lines 7-8, [identity of the recipient]);

A package ID... (Col. 7, lines 5-7, [tracking identification number]);

And an internal delivery address... (Col. 7, lines 9-11, [list of stations/hubs]).

As per claim 22, Kadaba, et al discloses:

Recording information regarding the receipt..... (Col. 12, lines 7-16);

Record information regarding the internal movement... (Col. 13, lines 8-16, where the examiner is interpreting the data collection format of the present invention as the bar code information of Kadaba, et al);

Which is upgradable in order to allow the user to change... (Col. 12, lines 46-49).

As per claim 23, Kadaba, et al discloses:

The items include a barcode or a tracking number... (Col. 7, line 5-7, Col. 13, lines 12-16);

The data collection format includes a selection of entry items...(Col. 8, lines 5-18);

The selection of entry items is carried out by the user according to the user's needs...(Col. 12, lines 31-44).

### **Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R.-B.  
April 8, 2002



KYLE J. CHOI  
PRIMARY EXAMINER  
*Art Unit 2163*